

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. NO. 05-11323MLW

CRYSTAL A. ATHERTON and ROBERT W.
ATHERTON,
Plaintiffs

v.

CITY OF BEVERLY, WILLIAM F.
SCANLON, in his official and individual
capacity, and JOHN DUNN, in his official and
individual capacity,
Defendants

LOCAL RULE 16.1(D) JOINT
SCHEDULING STATEMENT

Now come the parties in the above-referenced action and hereby submit the following
Joint Statement pursuant to Local Rule 16.1(D):

1. NATURE OF ACTION

Plaintiff Crystal Atherton has instituted this action against the defendants City of
Beverly, William F. Scanlon and John Dunn, alleging various tort and civil rights claims arising
out of her termination from her position as the Confidential Secretary to the former Mayor
Thomas Crean ("Mayor Crean"). The defendants deny any wrongdoing.

2. PROPOSED DISCOVERY PLAN

The parties propose the following discovery plan:

- a. The parties shall make initial disclosures pursuant to Rule 26 of the Federal Rules
of Civil Procedure within fourteen (14) days of the scheduling conference;
- b. Written Discovery will be completed within four months after the Court issues its
decision on the defendants' Motion for Judgment on the Pleadings;
- c. Depositions of Fact Witnesses will be completed within five months after the Court
issues its decision on the defendants' Motion for Judgment on the Pleadings.
- d. Plaintiff's Expert Witnesses will be identified within five months after the Court
issues its decision on the defendants' Motion for Judgment on the Pleadings.

- e. Defendants' Expert Witnesses will be identified within six months after the Court issues its decision on the defendants' Motion for Judgment on the Pleadings.
- f. Depositions of Expert Witnesses will be completed within eight months after the Court issues its decision on the defendants' Motion for Judgment on the Pleadings.
- g. All dispositive motions will be filed no later than ten months after the Court issues its decision on the defendants' Motion for Judgment on the Pleadings, but may be filed at any time previous thereto.

3. MOTION SCHEDULE

All dispositive motions will be served no later than ten months after the Court issues its decision on the defendants' Motion for Judgment on the Pleadings, but may be filed at any time previous thereto. Discovery motions, to the extent that they are necessary, will be filed prior to the close of discovery. Trial motions are to be served not less than seven (7) days prior to trial, except for good cause.

4. TRIAL BY MAGISTRATE JUDGE

The parties consent to a trial before a magistrate judge.

5. LOCAL RULE 16.1 CERIFICATIONS

Counsels have conferred with their clients concerning a budget for the cost of the litigation and the possible resolution of the litigation through alternative dispute resolution.

Written certifications have been or will be filed separately.

DEFENDANTS,
By their attorneys,

PLAINTIFFS,
By their attorney,

/s/ Elizabeth R. Corbo
David C. Jenkins (BBO# 251000)
Elizabeth R. Corbo (BBO# 640131)
Kopelman and Paige, P.C.
101 Arch Street
12th Floor
Boston, MA 02110-1109
(617) 556-0007

/s/ Jordan L. Shapiro
Jordan L. Shapiro (BBO#454240)
Shapiro & Hender
640 Main Street
Malden, MA 02148
(781) 324-5200